

CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Isabel Cifarelli	Team: Squad #11	CCRB Case #: 202002355	<input type="checkbox"/> Force	<input type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input checked="" type="checkbox"/> Abuse	<input type="checkbox"/> O.L.	<input type="checkbox"/> Injury
Incident Date(s) Tuesday, 03/10/2020 12:30 PM, Wednesday, 03/11/2020 12:30 PM	Location of Incident: 325 Lexington Avenue	Precinct: 79	18 Mo. SOL 9/10/2021	EO SOL 4/27/2022	
Date/Time CV Reported Thu, 03/12/2020 9:22 AM	CV Reported At: IAB	How CV Reported: Phone	Date/Time Received at CCRB Thu, 03/26/2020 11:16 AM		

Complainant/Victim	Type	Home Address

Subject Officer(s)	Shield	TaxID	Command
1. POM Joseph Scaglione	07210	959205	079 PCT
2. SGT Mark Xylas	01685	948160	079 PCT

Officer(s)	Allegation	Investigator Recommendation
A.SGT Mark Xylas	Abuse: On March 10, 2020, Sergeant Mark Xylas stopped the vehicle in which § 87(2)(b) was an occupant.	
B.POM Joseph Scaglione	Abuse: On March 10, 2020, Police Officer Joseph Scaglione stopped the vehicle in which § 87(2)(b) was an occupant.	
C.SGT Mark Xylas	Abuse: On March 10, 2020, Sergeant Mark Xylas searched the vehicle in which § 87(2)(b) was an occupant.	
D.POM Joseph Scaglione	Abuse: On March 10, 2020, Police Officer Joseph Scaglione searched the vehicle in which § 87(2)(b) was an occupant.	
E.SGT Mark Xylas	Abuse: On March 11, 2020, Sergeant Mark Xylas stopped the vehicle in which § 87(2)(b) was an occupant.	
F.POM Joseph Scaglione	Abuse: On March 11, 2020, Police Officer Joseph Scaglione stopped the vehicle in which § 87(2)(b) was an occupant.	
G.SGT Mark Xylas	Abuse: On March 11, 2020, Sergeant Mark Xylas searched the vehicle in which § 87(2)(b) was an occupant.	
H.POM Joseph Scaglione	Abuse: On March 11, 2020, Police Officer Joseph Scaglione searched the vehicle in which § 87(2)(b) was an occupant.	

Case Summary

On March 26, 2020, § 87(2)(b) filed this complaint with IAB via phone, generating reference number 2020-7868 and CCRB spinoff number 2020-8447. § 87(2)(b) provided his name, address, and two phone numbers.

On March 31, 2020, a call was placed to the first phone number provided for § 87(2)(b) and a voicemail requesting callback was left. The same day, a call was placed to the second phone number provided for § 87(2)(b). § 87(2)(b) answered, confirmed his identity, and requested to be called later that day at 3:00p.m. At the requested time, a call was placed to § 87(2)(b) and an interview was scheduled for 10:00a.m. the following day, April 1, 2020.

On April 1, 2020 at 10:10a.m., a call was placed to § 87(2)(b) for his scheduled interview. § 87(2)(b) did not answer, and a voicemail requesting callback was left. On April 3, 2020, a call was placed to § 87(2)(b) and a voicemail could not be left, as his mailbox was full.

On April 13, 2020, one call was placed to each of the two phone numbers provided for § 87(2)(b) and voicemails requesting callback were left. On April 15, 2020, a call was placed to the first phone number provided for § 87(2)(b). An unidentified person answered, stated that § 87(2)(b) was not available, and provided a phone number that matched the second phone number provided for § 87(2)(b) by IAB. At 3:57p.m. on April 15, 2020, a call was placed to § 87(2)(b) second phone number and a voicemail requesting callback was left. At 4:25p.m. the same day, § 87(2)(b) placed a call to the investigation and did not leave a voicemail. At 4:30p.m., a call was placed to § 87(2)(b) and an interview was scheduled for 11:00a.m. on Friday, April 17, 2020.

On April 17, 2020 at 11:13a.m., a call was placed to § 87(2)(b) for his scheduled interview. When asked if he had time for a full interview, § 87(2)(b) stated that he was just getting up and requested to be called at 12:30p.m. The same day at 12:30p.m., a call was placed to § 87(2)(b) and a voicemail requesting callback was left.

On April 20, 2020, searches of the databases of the Departments of Correction in New York City and New York State showed that § 87(2)(b) is not currently incarcerated.

§ 87(2)(g)

Squad No.: 11

Investigator: _____ Isabel Cifarelli _____ Inv. Isabel Cifarelli _____ 4/20/20 _____
Signature Print Title & Name Date

Squad Leader: _____ Edwin Pena _____ IM Edwin Pena _____ 04/22/20 _____
Signature Print Title & Name Date

Reviewer: _____ _____ _____
Signature Print Title & Name Date